

ASSEMBLY BILL

No. 873

Introduced by Assembly Member Price

February 26, 2009

An act to amend Section 4466 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 873, as introduced, Price. Vehicles: duplicate or substitute certificate of title or license plate.

Existing law prohibits the Department of Motor Vehicles from issuing a duplicate or substitute certificate of title or license plate if, after a search of the records of the department, the registered owner's address, as submitted on the application, is different from that which appears in the records of the department, unless the registered owner applies in person and presents additional specified documentation, that includes, among other things, a facsimile of specified documents if the facsimile matches the vehicle record of the department.

This bill would authorize the use of a photocopy of those documents in lieu of a facsimile.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4466 of the Vehicle Code is amended to
- 2 read:
- 3 4466. (a) The department shall not issue a duplicate or
- 4 substitute certificate of title or license plate if, after a search of the

1 records of the department, the registered owner's address, as
2 submitted on the application, is different from that which appears
3 in the records of the department, unless the registered owner applies
4 in person and presents all of the following:

5 (1) Proof of ownership of the vehicle that is acceptable to the
6 department. Proof of ownership may be the certificate of title,
7 registration certificate, or registration renewal notice, or a facsimile
8 *or photocopy* of any of those documents, if the facsimile *or*
9 *photocopy* matches the vehicle record of the department.

10 (2) A driver's license or identification card containing a picture
11 of the licensee or cardholder issued to the registered owner by the
12 department pursuant to Chapter 1 (commencing with Section
13 12500) of Division 6. The department shall conduct a search of
14 its records to verify the authenticity of any document submitted
15 under this paragraph.

16 (A) If the registered owner is a resident of another state or
17 country, the registered owner shall present a driver's license or
18 identification card issued by that state or country. In addition, the
19 registered owner shall provide photo documentation in the form
20 of a valid passport, military identification card, identification card
21 issued by a state or United States government agency, student
22 identification card issued by a college or university, or
23 identification card issued by a California-based employer. If a
24 resident of another state is unable to present the required photo
25 identification, the department shall verify the authenticity of the
26 driver's license or identification card by contacting the state that
27 issued the driver's license or identification card.

28 (B) If the registered owner is not an individual, the person
29 submitting the application shall submit the photo identification
30 required under this paragraph, as well as documentation acceptable
31 to the department that demonstrates that the person is employed
32 by an officer of the registered owner.

33 (3) If the application is for the purpose of replacing a license
34 plate that was stolen, a copy of a police report identifying the plate
35 as stolen.

36 (4) If the application is for the purpose of replacing a certificate
37 of title or license plate that was mutilated or destroyed, the
38 remnants of the mutilated or destroyed document or plate.

39 (5) If the department has a record of a prior issuance of a
40 duplicate or substitute certificate of title or license plate for the

1 vehicle within the past 90 days, a copy of a report from the
2 Department of the California Highway Patrol verifying the vehicle
3 identification number of the vehicle.

4 (b) Subdivision (a) does not apply if any of the following apply:

5 (1) The registered owner's name, address, and driver's license
6 or identification card number submitted on the application match
7 the name, address, and driver's license or identification card
8 number contained in the department's records.

9 (2) An application for a duplicate or substitute certificate of title
10 or license plate is submitted by or through a legal owner, if the
11 legal owner is not the same as the registered owner or as the lessee
12 under Section 4453.5, a dealer, a dismantler, an insurer, an agent
13 of the insurer, or a salvage pool.

14 (3) The vehicle is registered under the International Registration
15 Plan pursuant to Section 8052 or under the Permanent Fleet
16 Registration program pursuant to Article 9.5 (commencing with
17 Section 5301) of Chapter 1.

18 (4) The vehicle is an implement of husbandry, as defined in
19 Section 36000, or a tow dolly, or has been issued an identification
20 plate under Section 5014 or 5014.1.

21 (c) The department shall issue one or more license plates only
22 to the registered owner or lessee. The department shall issue the
23 certificate of title only to the legal owner, or if none, then to the
24 registered owner, as shown on the department's records.

25 ~~(d) This section shall become operative on January 1, 2008.~~